W3 Rec'd PUT/PTO 23 JAN 2006
Substitute for PTO-1390 (Rev. 07-2005) "Transmittal Letter to the United States Designated/Elected Office(DO/EO/US)Concerning a Submission Under 35 U.S.C. 371"
Approved for use through 3/31/2007. OMB 0651-0021

|  |   |  | Approved for use through 5/51/2007. Otel 0051-00 |  |  |  |  |  |  |
|--|---|--|--|--|--|--|--|--|--|
|  |   | TENT AND TRADEMARK OFFICE<br>S. DEPARTMENT OF COMMERCE | ATTORNEY'S DOCKET NUMBER MC089P                  |  |  |  |  |  |  |
| TRANSMITTAL LETTER TO THE UNITED STATES  |   |  |  |  |  |  |  |  |  |
| DESIGNATED/ELECTED OFFICE (DO/EO/US)   |   |  | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)  |  |  |  |  |  |  |
| CONCERN  | ING A FILIN   | NG UNDER 35 U.S.C. 371                                 | 10/565609  |  |  |  |  |  |  |
|  |   | INTERNATIONAL FILING DATE                              | PRIORITY DATE CLAIMED                            |  |  |  |  |  |  |
| PCT/CA2004/00148   |   | 08/10/2004   | 08/11/2003                                       |  |  |  |  |  |  |
| TITLE OF INVENTION FLAVORED TASTE-MASKED PHARMACEUTICAL FORMULATION MADE USING A ONE-STEP COATING PROCESS  |   |  |  |  |  |  |  |  |  |
| APPLICANT(S) FOR DO/EO/US  |   |  |  |  |  |  |  |  |  |
| Hubert Dumont and  | Roch Thibert  |  |  |  |  |  |  |  |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:                                      |   |  |  |  |  |  |  |  |  |
| 1. X This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.  |   |  |  |  |  |  |  |  |  |
| 2. This is a S   | ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.               |  |  |  |  |  |  |  |  |
| 3. This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (21) indicated below. |   |  |  |  |  |  |  |  |  |
| 4. X The US ha   | s been elected (P   | CT Article 31).  |  |  |  |  |  |  |  |
| 5. X A copy of   | A copy of the International Application as filed [35 U.S.C. 371(c)(2)]                                      |  |  |  |  |  |  |  |  |
| a. is attached hereto (required only if not communicated by the International Bureau).   |   |  |  |  |  |  |  |  |  |
| b. 🔀 has   | b. X has been communicated by the International Bureau.   |  |  |  |  |  |  |  |  |
| c. is no   | c. is not required, as the application was filed in the United States Receiving Office (RO/US).             |  |  |  |  |  |  |  |  |
| 6. An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].  a. is attached hereto   |   |  |  |  |  |  |  |  |  |
| b. has been previously submitted under 35 U.S.C. 154(d)(4).  |   |  |  |  |  |  |  |  |  |
|  | Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)].       |  |  |  |  |  |  |  |  |
| b. have  |   |  |  |  |  |  |  |  |  |
| c. hav   |   |  |  |  |  |  |  |  |  |
| d. 🔀 hav   | d. X have not been made and will not be made.   |  |  |  |  |  |  |  |  |
| 8. An English  | An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]. |  |  |  |  |  |  |  |  |
| 9. X An oath or  | An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].  |  |  |  |  |  |  |  |  |
|  |   |  | l Preliminary Examination Report under PCT       |  |  |  |  |  |  |
| Article 36 [35 U.S.C. 371(c)(5)].  Items 11 to 20 below concern other document(s) or information included:   |   |  |  |  |  |  |  |  |  |
| 11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.  |   |  |  |  |  |  |  |  |  |
| 12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.  |   |  |  |  |  |  |  |  |  |
| 13. A preliminary amendment.   |   |  |  |  |  |  |  |  |  |
| 14. An Application Data Sheet under 37 CFR 1.76.   |   |  |  |  |  |  |  |  |  |
| 15. A substitute specification.  |   |  |  |  |  |  |  |  |  |
| 16. A power of attorney and/or change of address letter.   |   |  |  |  |  |  |  |  |  |
| 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13 <i>ter</i> .2 and 37 CFR 1.821 - 1.825.  |   |  |  |  |  |  |  |  |  |
| 18. A second copy of the published International Application under 35 U.S.C.154(d)(4).   |   |  |  |  |  |  |  |  |  |
| 19. A second copy of the English language translation of the international application under 35 U.S.C.154(d)(4).   |   |  |  |  |  |  |  |  |  |
| 20. Other items or information:  |   |  |  |  |  |  |  |  |  |
|  |   |  |  |  |  |  |  |  |  |
|  |   |  |  |  |  |  |  |  |  |

| U.S. APPLICATION  |          |               | 7 CFR                                | INTERN                                  | NATIONAL APPLICATION          | NO.         |          | ATTORNEY'S DOC         | KET NUMBER     |
|---|----------|---------------|--------------------------------------|---|-------------------------------|-------------|----------|------------------------|----------------|
| 10/5  | 65       | 609           | PCT/CA2004/001483                    |   |                               | MC089P      |          |                        |                |
| The following fees are submitted:   |          |               |                                      |   |                               |             |          |                        |                |
| 21. A Basic national fee\$300   |          |               |                                      |   |                               |             |          |                        |                |
| 22. Examination fee   |          |               |                                      |   |                               |             |          | \$300.00               |                |
| If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$0   |          |               |                                      |   |                               |             |          | \$200.00               |                |
| All other situations\$200   |          |               |                                      |   |                               |             |          |                        |                |
| If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)   |          |               |                                      |   |                               |             |          | \$400.00               |                |
|   |          |               |                                      |   | nal application to the USPTO  |             | 50       | \$900.00               |                |
| International Searchin  | g Author | ity           |                                      |   |                               |             | \$100    |                        |                |
|   |          |               |                                      |   | JS and provided to the Office |             | \$400    |                        |                |
|   |          | -             |                                      |   |                               |             |          |                        |                |
| Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. |          |               |                                      |   |                               |             |          |                        |                |
|   |          |               |                                      | umber of each additional 50 or fraction |                               |             |          |                        |                |
| Total Sheets  | Extra S  | heets         | thereof (round up to a whole number) |   |                               |             | RATE     |                        |                |
| 12 - 100 =  | 0        | /50           | 0                                    | =                                       | 0 .                           | X S         | 250.00   | \$0.00                 |                |
| Surcharge of \$130.00 priority date [37 CFR   |          | _             | or declar                            | ation late                              | r than 30 months from the ear | liest clain | ned      |                        |                |
| CLAIMS  |          | NUMBER        | FILED                                |   | NUMBER EXTRA                  |             | RATE     |                        |                |
| Total Claims  |          |               | 16                                   | - 20 =                                  | 0                             | Х           | \$50.00  | \$0.00                 |                |
| Independent Claims  |          |               | 1                                    | - 3 =                                   | 0                             | X           | \$200.00 | \$0.00                 |                |
| MULTIPLE DEPENI   | DENT C   | LAIM(S) (if a | pplicable)                           |   |                               | +           | \$360.00 |                        |                |
| TOTAL OF ABOVE CALCULATIONS (SUBTOTAL) = \$900.00   |          |               |                                      |   |                               |             |          | •                      |                |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)].   |          |               |                                      |   |                               |             |          |                        |                |
| TOTAL NATIONAL FEE =  |          |               |                                      |   |                               |             | =        | \$900.00               |                |
| Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.   |          |               |                                      |   |                               |             |          |                        |                |
| TOTAL FEES ENCLOSED =   |          |               |                                      |   |                               |             | =        | . \$900.00             |                |
|   |          |               |                                      |   |                               |             |          | Amount to be refunded: |                |
|   |          |               |                                      |   |                               |             |          | Amount to be charged:  |                |
| a. A check  | c in the | amount of \$  |                                      |   | to cover the above fees is    | enclose     | d.       |                        | ·              |
| b. Please charge my Deposit Account No 13-2755 in the amount of \$900.00 to cover the above fees.  A duplicate copy of this sheet is enclosed.  |          |               |                                      |   |                               |             |          |                        |                |
| The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  |          |               |                                      |   |                               |             |          |                        |                |
| overpayment to the Deposit Account No. 13-2755  |          |               |                                      |   |                               |             |          |                        |                |
|   |          |               |                                      |   | ational Application to per    |             |          | thion to revive 137 C. | AK 1.157(a) 01 |
| SEND ALL CORRESPONDENCE TO:   |          |               |                                      |   |                               |             |          |                        |                |
| Merck & Co., Inc.   |          |               |                                      |   |                               |             |          |                        |                |
| P.O. Box 2000   |          |               |                                      |   |                               |             |          |                        |                |
| 126 East Lincoln Avenue SIGNATURE   |          |               |                                      |   |                               |             |          |                        |                |
| Rahway, New Jersey 07065-0970 SIGNATURE   |          |               |                                      |   |                               |             |          |                        |                |
|   |          |               |                                      |   |                               | ynard Yı    | uro      |                        |                |
|   |          |               |                                      | <u> </u>                                |                               | AME         | u. U     |                        |                |
| DATE: Januara   | , 23 20  | 06            |                                      |   | 15                            | 570         |          |                        |                |
| DATE: <u>January 23, 2006</u> <u>45,570</u> PHONE #: <u>(732) 594-0182</u> REGISTRATION N   |          |               |                                      |   |                               | UMBER       |          |                        |                |
|   |          |               |                                      | _                                       |                               |             |          |                        |                |

## Page 1A of TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER \$512.5 € .371.

#20 Registre 23 Jan 2006

| Attorney's Docket No.:     | MC089P   |  |  |  |  |
|----------------------------|--|--|--|--|--|
| International Appln No.:   | PCT/CA2004/001483  |  |  |  |  |
| International Filing Date: | 10 August 2004   |  |  |  |  |
| Priority Date:             | 11 August 2003   |  |  |  |  |
| Title:                     | FLAVORED TASTE-MASKED PHARMACEUTICAL<br>FORMULATION MADE USING A ONE-STEP COATING<br>PROCESS |  |  |  |  |
| Inventors:                 | Hubert Dumont and Roch Thibert   |  |  |  |  |

**EXPRESS MAIL CERTIFICATE** 

DATE OF DEPOSIT January 23, 2006

EXPRESS MAIL NO. EV 660604671 US

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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450.

MAILED BY Custin (affer DATE 01/23/20